

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
MAY 9, 2018**

CALL TO ORDER A meeting of the Flathead County Planning Board was called to order at
6:01 pm approximately 6:00 p.m. at Earl Bennett Building, 1035 First Ave West,
Kalispell MT 59901. Board members present were Greg Stevens, Sandra
Nogal, Ron Schlegel, Kevin Lake, Jim Thompson, and Dean Sirucek. Jeff
Larsen and Mike Horn had excused absences. Mark Mussman and Donna
Valade represented the Flathead County Planning & Zoning Office.

There were 5 members of the public in attendance.

APPROVAL OF Nogal made a motion, seconded by Schlegel, to approve the March 14, 2018
MEETING
MINUTES meeting minutes.

6:01 pm Motion passed unanimously on a roll call vote.

PUBLIC None
COMMENT

*(Public matters that
are within the
jurisdiction of the
Board 2-3-103
M.C.A)
6:03 pm*

GUY AND A zone change request from Sands Surveying on behalf of Guy Robert &
PAMELA MEYER Pamela Sue Meyer for property located at 3355 Whitefish Stage near
(FZC-18-07) Kalispell, MT in the Highway 93 North Zoning District. The proposal would
6:04 pm change the zoning on a parcel containing approximately 14 acres from *SAG-10*
(Suburban Agricultural to SAG-5 (Suburban Agricultural)).

STAFF REPORT Donna Valade reviewed staff report FZC-18-07 for the board.
6:05 pm

BOARD None
QUESTIONS
6:06 pm

APPLICANT Eric Mulcahy, 2 Village Loop, with Sands Surveying represented the
PRESENTATION applicant. He reviewed the reasons for the application; they wanted to give
6:06 pm some of their land to their son. He also discussed the acreage which would
allow for one split of the property.

**BOARD
QUESTIONS
6:07 pm**

None

**AGENCY
COMMENTS
6:08 pm**

None

**PUBLIC
COMMENT
6:08 pm**

Nicole Hansen, 3390 Whitefish Stage, spoke in opposition of the application. She and her husband had purchased enough land to give a parcel to their daughter without needing to go through the zone change process. They were farming the land and wished for it to remain a farming community. She was concerned about more houses being constructed in the area.

Cole Meyer, 3355 Whitefish Stage, son of the applicants, explained his plans for the property including why a shop was in the process of being built with an apartment above for him. He also addressed a rumor concerning the potential building of a larger single family dwelling on the property if the zone change were to be approved.

Guy Meyer, 3355 Whitefish Stage, also reiterated he did not think they were doing anything wrong by having the shop constructed with an apartment and voiced his frustration with the rumor going around.

Sirucek wondered what they were currently doing with the land. Meyer said that they used to have horses but now they are just trying to control weeds. He felt like his son could help maintain some of the property as his own.

**APPLICANT
REBUTTAL/
COMMENTS
6:18 pm**

Mulcahy wanted to highlight that the staff report basically said that the agricultural production was basically the same for SAG10s.

**STAFF
REBUTTAL/
COMMENTS
6:18 pm**

Staff clarified applicants had contacted the office before construction of the shop and apartment to check if they were acceptable to build at this time. Both SAG-10 and SAG-5 zoning designations allow Accessory Dwelling Units (ADUs) and guest houses. The definitions of both were communicated to the applicant.

**MAIN MOTION
TO ADOPT F.O.F.
(FACT)
6:20 pm**

Sirucek made a motion, seconded by Schlegel, to adopt staff report FZC-18-07 as findings of fact.

**ROLL CALL TO
ADOPT F.O.F.
(FACT)
6:20 pm**

Motion was passed on a roll call vote.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
6:21 pm**

Schlegel made a motion, seconded by Horn, to recommended approval of FZC-18-07 to the Board of County Commissioners.

**BOARD
DISCUSSION
6:21 pm**

Schlegel appreciated the clarification from the staff on the regulations of the accessory dwelling.

Sirucek said that it was not the best soil in the valley and was not prime use for agricultural land.

Nogal said she respected the applicant's right to be able to split their property and what they were trying to do for their son. She voiced concern about the pattern of SAG-10s being split to SAG-5s in the valley. They discussed logistics in splitting the property and restrictions. They discussed family transfers, restrictions, and procedures. Nogal also told Hansen that she understood her concern and felt for her. She saw both sides of table.

Meyers said that if it was approved, he did not see it getting split again. It was not his intention as long as he owned the property.

Stevens said that, based on his professional knowledge, it would be very difficult to produce agriculture on 14 acres of land. He said from a business perspective, the small acre tracts were not viable and what was left was zoning for the sake of open space. He did not feel like changing the zoning would harm the agriculture in Flathead County. He was inclined to go along with other policies, which try to honor the rights of the individual property owner.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FZC-18-07)
6:38 pm**

The motion passed unanimously on a roll call vote.

**OLD BUSINESS
6:40 pm**

None

**NEW BUSINESS
6:40 pm**

Mussman briefed them what the next two meetings would look like.

MEETING
ADJOURNED
6:44 pm

The meeting was adjourned on a motion by Schlegel and seconded by Nogal at approximately 6:44 pm. The next meeting will be held June 13, 2018 pm.


Greg Stevens, Vice-Chairman


Angela Phillips, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 7 / 11 /18